

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CARLTON THEODORE LANDIS,	:	CIVIL ACTION NO. 1:19-CV-1301
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
LIEUTENANT WILSON, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 30th day of September, 2021, upon consideration of defendants' motion (Doc. 73) to dismiss and for summary judgment, it is hereby ORDERED that:

1. Defendants' Rule 12(b)(1) motion (Doc. 73) is GRANTED.
2. Defendants' Rule 12(b)(6) motion (Doc. 73) is GRANTED.
3. Defendants' Rule 56 motion (Doc. 73) is GRANTED as follows:
 - a. Summary judgment on the Eighth Amendment deliberate indifference claim is GRANTED based on failure to exhaust administrative remedies. The Clerk of Court is directed to ENTER judgment in favor of defendants and against plaintiff.
4. The Clerk of Court is further directed to CLOSE this case.
5. Any appeal from this order is DEEMED frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner
United States District Judge
Middle District of Pennsylvania